

UtahAmerican Energy, Inc.



COPY

Incoming, C0070013

#3705

Q

Lila Canyon Project
P. O. Box 910

East Carbon, Utah 84501

Phone: (435) 888-4000

(435) 650-3157

Fax: (435) 888-4002

December 28, 2010

Daron Haddock
Permit Supervisor
1594 West North Temple, Suite 1210
P.O. Box 145801
Salt Lake City, Utah 84114-5801

Re: UtahAmerican Energy, Inc. Horse Canyon Mine, Clean Copies of 10-010 (Ventilation Breakouts) Horse Canyon Part B Lila Canyon ACT/009-013

Dear Mr. Haddock,

Conditional approval for submittal 10-010 was given on December 9, 2010. Attached you will find three (6) Clean copies of submittal 10-010. With the submittal of these clean copies final approval should be granted by DOGM.

C1 And C2 forms are included.

Thanks for your help.

Should you have any questions please call.

Sincerely,

R. Jay Markue

File in:

☐ Confidential

☐ Shelf

☒ Expandable

In C/0070013, Incoming
Date: 12/29/2010. For additional information

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DEC 29 2010

ENVIRONMENTAL

COPY

APPLICATION FOR PERMIT PROCESSING

Permit Change ☐

New Permit ☐

Renewal ☐

Transfer ☐

Exploration ☐

Bond Release ☐

Permit Number: ACT/007/013

Title of Proposal: Clean copies of submittal 10-010

Mine: Horse Canyon

Permittee: UtahAmerican Energy, Inc.

Description, include reason for application and timing required to implement:

Instructions: If you answer yes to any of the first 8 questions (gray), submit the application to the Salt Lake Office. Otherwise, you may submit it to your reclamation

- | | | |
|------------------------------|-----------------------------|--|
| <input type="checkbox"/> Yes | <input type="checkbox"/> No | 1. Change in the size of the Permit Area? _____ acres Disturbed Area? _____ acres <input type="checkbox"/> increase <input type="checkbox"/> decrease. |
| <input type="checkbox"/> Yes | <input type="checkbox"/> No | 2. Is the application submitted as a result of a Division Order? DO # _____ |
| <input type="checkbox"/> Yes | <input type="checkbox"/> No | 3. Does application include operations outside a previously identified Cumulative Hydrologic Impact Area? |
| <input type="checkbox"/> Yes | <input type="checkbox"/> No | 4. Does application include operations in hydrologic basins other than as currently approved? |
| <input type="checkbox"/> Yes | <input type="checkbox"/> No | 5. Does application result from cancellation, reduction or increase of insurance or reclamation bond? |
| <input type="checkbox"/> Yes | <input type="checkbox"/> No | 6. Does the application require or include public notice/publication? |
| <input type="checkbox"/> Yes | <input type="checkbox"/> No | 7. Does the application require or include ownership, control, right-of-entry, or compliance information? |
| <input type="checkbox"/> Yes | <input type="checkbox"/> No | 8. Is proposed activity within 100 feet of a public road or cemetery or 300 feet of an occupied dwelling? |
| <input type="checkbox"/> Yes | <input type="checkbox"/> No | 9. Is the application submitted as a result of a Violation? NOV # _____ |
| <input type="checkbox"/> Yes | <input type="checkbox"/> No | 10. Is the application submitted as a result of other laws or regulations or policies? Explain: _____ |
| <input type="checkbox"/> Yes | <input type="checkbox"/> No | 11. Does the application affect the surface landowner or change the post mining land use? |
| <input type="checkbox"/> Yes | <input type="checkbox"/> No | 12. Does the application require or include underground design or mine sequence and timing? (Modification of R2P2?) |
| <input type="checkbox"/> Yes | <input type="checkbox"/> No | 13. Does the application require or include collection and reporting of any baseline information? |
| <input type="checkbox"/> Yes | <input type="checkbox"/> No | 14. Could the application have any effect on wildlife or vegetation outside the current disturbed area? |
| <input type="checkbox"/> Yes | <input type="checkbox"/> No | 15. Does application require or include soil removal, storage or placement? |
| <input type="checkbox"/> Yes | <input type="checkbox"/> No | 16. Does the application require or include vegetation monitoring, removal or revegetation activities? |
| <input type="checkbox"/> Yes | <input type="checkbox"/> No | 17. Does the application require or include construction, modification, or removal of surface facilities? |
| <input type="checkbox"/> Yes | <input type="checkbox"/> No | 18. Does the application require or include water monitoring, sediment or drainage control measures? |
| <input type="checkbox"/> Yes | <input type="checkbox"/> No | 19. Does the application require or include certified designs, maps, or calculations? |
| <input type="checkbox"/> Yes | <input type="checkbox"/> No | 20. Does the application require or include subsidence control or monitoring? |
| <input type="checkbox"/> Yes | <input type="checkbox"/> No | 21. Have reclamation costs for bonding been provided for? |
| <input type="checkbox"/> Yes | <input type="checkbox"/> No | 22. Does application involve a perennial stream, a stream buffer zone or discharges to a stream? |
| <input type="checkbox"/> Yes | <input type="checkbox"/> No | 23. Does the application affect permits issued by other agencies or permits issued to other entities? |

X Attach 3 complete copies of the application.

I hereby certify that I am a responsible official of the applicant and that the information contained in this application is true and correct to the best of my information and belief in all respects with the laws of Utah in reference to commitments, undertakings, and obligations, herein.

R. J. Mankie 10/27/10 Prod MGR
Signed - Name - Position - Date

scribed and sworn to before me this 27th day of December, 2010

Linda Kerns
Notary Public
My Commission Expires: March 27, 2013
Attest: Utah
STATE OF Utah
COUNTY OF Carbon



Notary Public
LINDA KERNS
Commission #578211
My Commission Expires
March 27, 2013
State of Utah

Received by Oil, Gas & Mining

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DEC 29 2010

OIL, GAS & MINING

ASSIGNED TRACKING NUMBER



GARY R. HERBERT
Governor

GREGORY S. BELL
Lieutenant Governor

State of Utah

DEPARTMENT OF NATURAL RESOURCES

MICHAEL R. STYLER
Executive Director

Division of Oil, Gas and Mining

JOHN R. BAZA
Division Director

December 9, 2010

Jay Marshall, Resident Agent
UtahAmerican Energy, Inc.
P.O. Box 910
East Carbon, Utah 84520-0910

Subject: Conditional Approval of Ventilation Breakouts, UtahAmerican Energy, Inc.,
Horse Canyon Mine, Outgoing File, C/007/0013, Task ID #3705

Dear Mr. Marshall:

The above-referenced amendment is conditionally approved upon receipt of 6 clean copies prepared for incorporation. Please submit these copies by January 9, 2011. Once the Division receives these copies, final approval will be granted, at which time you may proceed with your plans.

A stamped incorporated copy of the approved plans will also be returned to you at that time, for insertion into your copy of the Mining and Reclamation Plan. This modification does not necessitate an update to the Technical Analysis.

If you have any questions, please call me at (801) 538-5262.

Sincerely,

James D. Smith
Permit Supervisor

JDS/sqs
cc: Price Field Office
O:\007013.HOR\WG3705\WG3705.COND APPROVAL.JDS.DOC



APPLICATION FOR PERMIT PROCESSING

<input type="checkbox"/> Permit Change	<input type="checkbox"/> New Permit	<input type="checkbox"/> Renewal	<input type="checkbox"/> Transfer	<input type="checkbox"/> Exploration	<input type="checkbox"/> Bond Release	Permit Number: ACT/007/013
Title of Proposal: Deficiencies for ventilation breakouts. 10-010						Mine: Horse Canyon
						Permittee: UtahAmerican Energy, Inc.

Description, include reason for application and timing required to implement:

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I hereby certify that I am a responsible official of the applicant and that the information contained in this application is true and correct to the best of my information and belief in all respects with the laws of Utah in reference to commitments, undertakings, and obligations, herein.

Signed - Name - Position - Date
Ruby Marshall 12/8/10 Project Manager

Subscribed and sworn to before me this 8 day of December, 19 2010

Notary Public

My Commission Expires: March 19 2011
 Attest: STATE OF Utah COUNTY OF Carbon



MARY V. KAVA
 NOTARY PUBLIC • STATE OF UTAH
 COMMISSION # 574260
 COMM. EXP. 05-16-2012

Received by Oil, Gas & Mining

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DEC 08 2010

DIV. OF OIL, GAS & MINING

ASSIGNED TRACKING NUMBER

Application for Permit Processing Detailed Schedule of Changes to the MRP

Deficiencies response for ventilation breakouts. 10-010

Permit Number: ACT/007/013

Mine: Horse Canyon

Permittee: UtahAmerican Energy, Inc.

Provide a detailed listing of all changes to the mining and reclamation plan which will be required as a result of this proposed permit application. Individually list all maps and drawings which are to be added, replaced, or removed from the plan. Include changes of the table of contents, section of the plan, pages, or other information as needed to specifically locate, identify and revise the existing mining and reclamation plan. **Include page, section and drawing numbers as part of the description.**

			DESCRIPTION OF MAP, TEXT, OR MATERIALS TO BE CHANGED
<input type="checkbox"/> ADD	<input type="checkbox"/> REPLACE	<input type="checkbox"/> REMOVE	Appendix 7-4 Page 59
<input type="checkbox"/> ADD	<input type="checkbox"/> REPLACE	<input type="checkbox"/> REMOVE	Appendix 8-1 Page 1 (Bond Amount Summary Page)
<input type="checkbox"/> ADD	<input type="checkbox"/> REPLACE	<input type="checkbox"/> REMOVE	Appendix 8-1 Demolition summary page 1 (1of 32)
<input type="checkbox"/> ADD	<input type="checkbox"/> REPLACE	<input type="checkbox"/> REMOVE	Appendix 8-1 Demolition Last Page (32 of 32)
<input type="checkbox"/> ADD	<input type="checkbox"/> REPLACE	<input type="checkbox"/> REMOVE	Plates 1-2,
<input type="checkbox"/> ADD	<input type="checkbox"/> REPLACE	<input type="checkbox"/> REMOVE	Plates 2-1, 2-2, and 2-3,
<input type="checkbox"/> ADD	<input type="checkbox"/> REPLACE	<input type="checkbox"/> REMOVE	Plates 5-1-A, 5-2, and 5-6,
<input type="checkbox"/> ADD	<input type="checkbox"/> REPLACE	<input type="checkbox"/> REMOVE	Plate 7-2, 7-5, and 7-7
<input type="checkbox"/> ADD	<input type="checkbox"/> REPLACE	<input type="checkbox"/> REMOVE	Chapter 2 Text Page 10
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Any other specific or special instructions required for insertion of this proposal into the Mining and Reclamation Plan?

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DIV. OF OIL, GAS & MINING

Application for Permit Processing Detailed Schedule of Changes to the MRP

Deficiencies response for ventilation breakouts. 10-010

Permit Number: ACT/007/013

Mine: Horse Canyon

Permittee: UtahAmerican Energy, Inc.

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Any other specific or special instructions required for insertion of this proposal into the Mining and Reclamation Plan?

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DIV. OF OIL, GAS & MINING

Alternate Sediment Control for Fan Site and Topsoil Storage Area

5.1 ASCA Areas

Sediment Control at the slope below water treatment area, and topsoil storage area sites will be accomplished with a combination of one or more of the following: berms, silt fences, and straw bales.

The ventilation breakouts are just punch outs and will have insignificant disturbance associated with them. (Plate 5-2) However, they are addressed as ASCA's and are addressed here even though there will be only insignificant surface disturbance. The ASCA's will be seeded upon final reclamation.

The topsoil collected from the topsoil storage area sites will be located downslope from the sites and will be used in the construction of the berm. The berm will be constructed a minimum of two feet high and have 2:1 side slopes. The berm will control the flow from a 10 year-24 hour precipitation event. Silt fence will be selectively placed to help control run-off. The berm will be stabilized with vegetation to prevent erosion. As much as practical, the vegetation techniques used on the main topsoil pile will be utilized on the fan topsoil berm.

The outside of the berm will be protected with a silt fence or gravel. The gravel, if used, would help augment the revegetation. Construction details of the silt fence/filter fence are shown in Figure 5.

The outslope of the portal access road, outslope of the water treatment pad, and ventilation break outs will have a silt fence located along the disturbed area boundary to treat the runoff from the slope. While some portions of this area will be disturbed as a result of the fill material placed for the pad and road construction, the major portion of this area is expected to remain undisturbed. As an added protection, the portions of the area that are disturbed by the fill placement will be covered with an erosion control mat to minimize the erosion from this slope and that area seeded to aid in the establishment of a vegetative cover.

Due to lack of final engineering details, the exact location of the berms, silt fences, and subsequent erosion techniques will be determined in field with the approval of UDOGM. The final determination will be made prior to the start of topsoil removal.

Run-off Calculations

5.2 Ventilation Break Outs

Insignificant surface disturbance.

5.3 Topsoil Storage Area

Bonding Calculations
Horse Canyon MineC/007/013
Lila Canyon Section

Bond Summary

Direct Costs

Subtotal Demolition and Removal	\$657,751.00
Subtotal Backfilling and Grading	\$417,838.00
Subtotal Revegetation	\$340,586.00
Direct Costs	\$1,416,175.00

Indirect Costs

Mob/Demob	\$141,618.00	10.0%
Contingency	\$70,809.00	5.0%
Engineering Redesign	\$35,404.00	2.5%
Main Office Expense	\$96,300.00	6.8%
Project Mainagement Fee	\$35,404.00	2.5%
Subtotal Indirect Costs	\$379,535.00	26.8%

Total Cost \$1,795,710.00

Escalation factor 0.005
Number of years 3
Escalation \$27,071.00

Reclamation Cost \$1,822,781.00

Bond Amount (rounded to nearest \$1,000)
2013 Dollars \$1,823,000.00

Bond Posted Up to December 2010 \$1,807,000.00

Difference Between Cost Estimate and Bond
Percent Difference -\$16,000.00
-0.88%

[illegible]

approximately 56,000 bank cubic yards. Removal of stones and boulders would be considered in volume estimates where they are part of the soil layer removed.

The stockpile has been sized to allow for bulking or swell of the soil as it is removed from the bank state to the loose state. A bulking number of 1.18 has been used. The area allowed for topsoil storage is 56,000 bank cubic yards x 1.18 which equals 66,000 loose cubic yards to be placed on the topsoil pile.

Boulders of approximately three feet in diameter and larger will be separated from the topsoil and piled or placed at appropriate locations such as adjacent to roads, pads etc. No attempt will be made to collect the large boulders into common piles. Boulders above ground level are in addition to topsoil volumes and may account for approximately 10,000 cubic yards.

UEI is not stockpiling large stones "boulders". Boulders will be pushed to the side and left during construction and then upon reclamation the boulders will be pushed back into the approximate location from which they came. Rocks of 36" or less will be stored in the topsoil pile with the soil and will be redistributed with the soil.

The approximate 66,000 loose cubic yards of topsoil will be stored in a topsoil pile as shown on Plate 5-2. This topsoil pile will be approximately 350' long and 250' wide with 2:1 slopes. The height of topsoil pile needed is approximately 31 feet. The pile as designed has the capability of storing well over the required 60,000 cubic yards. See Figure 1 for topsoil pile calculations.

Soil from the proposed ventilation break out sites near the coal outcrop will not be salvaged. As a result of the very limited ground disturbance, and lack of access, soil cannot reasonably be salvaged. At these small isolated sites soil will not be salvaged or stored.

The sequence for topsoil removal in general, would be starting from the lower elevations of the site and working up slope. Surface disturbance may not be required on all of the acreage